

TITLE 312 NATURAL RESOURCES COMMISSION

Emergency Rule LSA Document #08- 770 (E)

DIGEST

Temporarily amends 312 IAC 9 to govern noncommercial hunts at Summit Lake State Park and Potato Creek State Park. Under IC 4-22-2-37.1, IC 14-22-2-6, IC 14-10-2-5, and IC 14-22-6-13 (applicable to state parks), the director of the department of natural resources adopts the emergency rule set forth in this document. This emergency rule is adopted with the awareness the regulation of wild animals in Indiana is the responsibility of the Department of Natural Resources, and with a heightened awareness of that responsibility (as well as a responsibility for the welfare of flora and other fauna), within Indiana state parks. The director finds that the density of the Canada goose population at Summit Lake State Park and Potato Creek State Park has risen to a level that poses threats to the ecology of aquatic and terrestrial communities present, and the personal safety of park patrons. Current conditions requiring this rule include eroded shorelines, increased sedimentation, and large amounts of goose waste in areas of high visitation and recreation. Effective October 17, 2008.

SECTION 1. (a) Notwithstanding 312 IAC 9-2-11, 312 IAC 8-2, and any other provision governing hunting a wild animal within a state park, individuals qualified under this SECTION may hunt Canada geese at Summit Lake State Park and Potato Creek State Park one-half (½) hour before sunrise to sunset each day during two (2) hunt periods of December 6 and 7, 2008, and December 13 and 14, 2008. Each property has a pre-established number of necessary individuals or groups of individuals to be authorized under this SECTION with the intent to achieve population control of Canada geese.

(b) A Canada goose may be lawfully taken under this SECTION only by the use of a firearm that may be lawfully used to hunt geese in Indiana as determined under 50 CFR 20.

(c) In order to apply for a license under this SECTION, an individual must satisfy all of the following requirements:

- (1) Possess a current Indiana hunting license issued under IC 14-22-12-1(a)(2), IC 14-22-12-1(a)(3), IC 14-22-12-7(a)(2), IC 14-22-12-7(a)(4), or IC 14-22-12-7(a)(5) to take Canada geese.**
- (2) Possess a current Indiana waterfowl stamp privilege issued under IC 14-22-7-4 to take Canada geese.**
- (3) Possess a current Harvest Information Program registration number issued under 312 IAC 9-4-2.**
- (4) Possess a current and signed federal duck stamp to take Canada geese under 50 CFR 20.**
- (5) Be at least eighteen (18) years old by December 6, 2008.**

(d) An application for a license to participate in either of the two (2) hunt periods under this SECTION must be completed as described in this subsection as follows:

- (1) A department form shall be available on the Internet at www.IndianaOutdoor.in.gov.**
- (2) An individual must complete and submit a separate application for each hunt period online at www.IndianaOutdoor.in.gov between October 27, 2008 at 12:00 a.m., EDT and November 9, 2008 at 11:59 p.m., EST.**

(e) Individual or group applications may be submitted. Group applications may include up to four (4) individuals, who are each applicants. No applicant can appear on more than one (1) application. The inclusion of an individual as an applicant on more than one (1) application per hunt period disqualifies all applications on which that individual is an applicant.

(f) All eligible applications under this SECTION will be compiled into a draw. The department shall conduct the first draw from applications submitted by applicants who have all completed a course of instruction in hunter safety under IC 14-22-35. If the first draw fails to achieve the number of individuals necessary and authorized under this SECTION, the department shall conduct a second draw from applications submitted by applicants who have not all completed the course of instruction in hunter safety under IC 14-22-35.

(g) The department shall post the successful applicants on the Department's Division of State Parks and Reservoir Web page at <http://www.in.gov/dnr/parklake/>. A stand-by drawing using the list of unsuccessful applicants will be held each of the four days at each property.

(h) Each individual issued a license under this SECTION shall receive a random assignment to specific management units with designated parking assignments. Each license holder must comply with the requirements set forth in the assignment.

(i) The form of the license under this SECTION shall be as determined by the department. Each participant in the hunt must possess and display evidence of the license as specified by the department.

(j) During the hunt, an individual must not take more than the daily bag limit established under 312 IAC 9-4-5.

(k) A participant must check in and out at the main gate of Summit Lake State Park and Potato Creek State Park and must possess both:

- (1) A hunter check-in card.**
- (2) A valid photo-identification.**

(l) An individual who takes a Canada goose must deliver the goose to a check station designated within the state park before the person leaves the state park.

(m) An individual who participates in a hunt under this document must carry no more than ten (10) rounds of approved non-toxic shot. All legal shell lengths are authorized but are restricted to sizes ranging from two's (2's) to triple BBB.

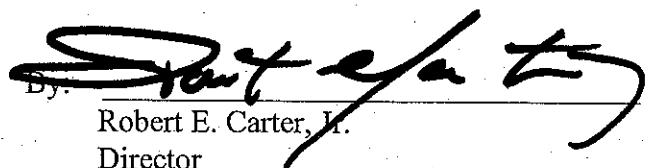
(n) An individual who participates in the hunt must abide by all state and federal laws regarding the hunting of migratory game birds and waterfowl.

SECTION 2. SECTION 1 of this document expires on January 31, 2009.

Rule Signature Page

Rule #: LSA #08- **770** (E)
Agency: Natural Resources Commission
Subject: Noncommercial Goose Hunt on Summit Lake and Potato Creek State Parks

ADOPTED:

By:  Date: 10/6/2008
Robert E. Carter, Jr.
Director
Department of Natural Resources

ACCEPTED FOR FILING:

By: _____

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